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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED FABRICS INTERNATIONAL,  
INC., a California Corporation,

Plaintiff,

vs.

LUCKY KIM INTERNATIONAL, INC., a  
California Corporation; COME COMO  
CORP., a California Corporation; MACY'S,  
INC., an Ohio Corporation; CHARLOTTE  
RUSSE, INC., a California Corporation;  
A.R.B., INC., a New York Corporation;  
ROYAL PRINTEX, INC., a California  
Corporation; and DOES 1 through 10,  
Defendants.

CV10 2433 CBM (FFMx)  
Case No.:

PLAINTIFF'S COMPLAINT  
FOR:

1. COPYRIGHT INFRINGEMENT;
2. VICARIOUS AND/OR CONTRIBUTORY COPYRIGHT INFRINGEMENT; and
3. BREACH OF CONTRACT.

Jury Trial Demanded

Plaintiff United Fabrics International, Inc. ("Plaintiff" or "United Fabrics"), by and through its undersigned attorneys, hereby prays to this honorable Court for relief and remedy based on the following:

**INTRODUCTION**

Plaintiff is a Los Angeles-based textile converter which deals in imported and domestic fabrics. As part of its business, Plaintiff creates, or purchases the exclusive

1 rights to, two-dimensional works of art. Plaintiff utilizes these works of art to create  
2 textile patterns and designs, and has the exclusive right to sell fabric with its designs  
3 to its customers. No other party is authorized to make sales of product bearing  
4 Plaintiff's proprietary designs without express permission from Plaintiff. This action  
5 is brought to recover damages for the unauthorized reproduction of one of Plaintiff's  
6 proprietary designs by the Defendants, and each of them.

### 7 8 JURISDICTION AND VENUE

9 1. This action arises under the Copyright Act of 1976, Title 17 U.S.C., § 101  
10 *et seq.*

11 2. This Court has federal question jurisdiction under 28 U.S.C. § 1331 and §  
12 1338 (a) and (b).

13 3. Venue in this judicial district is proper under 28 U.S.C. § 1391(c) and  
14 1400(a) in that this is the judicial district in which a substantial part of the acts and  
15 omissions giving rise to the claims occurred.

### 16 PARTIES

17 4. United Fabrics is a corporation organized and existing under the laws of the  
18 State of California with its principal place of business located at 1723 South Central  
19 Avenue, Los Angeles, California 90021.

20 5. United Fabrics is informed and believes and thereon alleges that Defendant  
21 MACY'S, INC. ("MACY'S") is a corporation organized and existing under the laws  
22 of the State of Ohio with its principal place of business at 7 West Seventh Street,  
23 Cincinnati, Ohio 45202, and doing business in and with the state of California.

24 6. United Fabrics is informed and believes and thereon alleges that Defendant  
25 CHARLOTTE RUSSE, INC. ("CHARLOTTE RUSSE") is a corporation organized  
26 and existing under the laws of the State of California with its principal place of  
27

1 business at 4645 Morena Boulevard, San Diego, California 92117, and doing  
2 business in and with the state of California.

3 7. United Fabrics is informed and believes and thereon alleges that Defendant  
4 A.R.B., INC. ("ARB") is a corporation organized and existing under the laws of the  
5 State of New York, and doing business in and with the state of California, with its  
6 principal place of business at 270 West 38th Street, New York, New York, 10018.

7 8. United Fabrics is informed and believes and thereon alleges that Defendant  
8 LUCKY KIM INTERNATIONAL, INC. ("LUCKY") is a corporation organized and  
9 existing under the laws of the State of California, and doing business in and with the  
10 state of California, with its principal place of business at 3477 South Main Street,  
11 Los Angeles, California 90007.

12 9. Plaintiff is informed and believes and thereon alleges that Defendant  
13 COME COMO CORP. ("COMO") is a California corporation existing under the  
14 laws of the State of California with its principal place of business at 2501 South  
15 Alameda Street, Suite A, Los Angeles, CA 90058.

16 10. Plaintiff is informed and believes and thereon alleges that Defendant  
17 ROYAL PRINTEX, INC. ("PRINTEX") is a California corporation existing under  
18 the laws of the State of California with its principal place of business in Los Angeles  
19 County.

20 11. Plaintiff is informed and believes and thereon alleges that some of  
21 Defendants DOES 1 through 3, inclusive, are manufacturers and/or vendors of  
22 garments to Defendant, which DOE Defendants have manufactured and/or supplied  
23 and are manufacturing and/or supplying garments comprised of fabric printed with  
24 Plaintiff's copyrighted design(s) (as hereinafter defined) without Plaintiff's  
25 knowledge or consent or have contributed to said infringement. The true names,  
26 whether corporate, individual or otherwise of Defendants DOES 1-3, inclusive, are  
27 presently unknown to Plaintiff, which therefore sues said Defendants by such  
28

1 fictitious names and will seek leave to amend this complaint to show their true  
2 names and capacities when same have been ascertained.

3 12. Defendants DOES 4 through 10, inclusive, are other parties not yet  
4 identified who have infringed Plaintiff's copyrights, have contributed to the  
5 infringement of Plaintiff's copyrights, or have engaged in one or more of the  
6 wrongful practices alleged herein. The true names, whether corporate, individual or  
7 otherwise, of Defendants 4 through 10, inclusive, are presently unknown to Plaintiff,  
8 which therefore sues said Defendants by such fictitious names, and will seek leave to  
9 amend this Complaint to show their true names and capacities when same have been  
10 ascertained.

11 13. Plaintiff is informed and believes and thereon alleges that at all times  
12 relevant hereto each of the Defendants was the agent, affiliate, officer, director,  
13 manager, principal, alter-ego, and/or employee of the remaining Defendants and was  
14 at all times acting within the scope of such agency, affiliation, alter-ego relationship  
15 and/or employment; and actively participated in or subsequently ratified and  
16 adopted, or both, each and all of the acts or conduct alleged, with full knowledge of  
17 all the facts and circumstances, including, but not limited to, full knowledge of each  
18 and every violation of Plaintiff's rights and the damages to Plaintiff proximately  
19 caused thereby.

20 **CLAIMS RELATED TO DESIGN HAILEY**

21 14. Prior to the acts complained of herein, Plaintiff purchased from a European  
22 art studio all rights to a unique and independently-created two-dimensional work of  
23 art ("Source Artwork"). A true and correct copy of this work of art is attached as  
24 Exhibit 1. Using this source artwork, Plaintiff created a new and novel textile design  
25 and began offering for sale product bearing this design to its customers. It allocated  
26 this design the Internal Design Code E079/HAILEY ("Subject Design"). A true and  
27  
28

1 correct copy of the Subject Design is attached hereto as Exhibit 2. This artwork is,  
2 and at all relevant times was, owned in exclusivity by Plaintiff.

3 15. Prior to the acts complained of herein, Plaintiff applied for and received a  
4 United States Copyright Registration for the Source Artwork. A true and correct  
5 copy of this document, which reflects the allocation of registration code VAu 700-  
6 341 to the Source Artwork, is attached hereto as Exhibit 3.

7 16. Prior to the acts complained of herein, Plaintiff applied for and received a  
8 United States Copyright Registration for a group of designs that included the Subject  
9 Design. A true and correct copy of this document, which reflects the allocation of  
10 registration code VAu 714-548 to the group including the Subject Design, is attached  
11 hereto as Exhibit 4.

12 17. Plaintiff has applied for and received a United States Copyright  
13 Registration for the Subject Design individually. A true and correct copy of this  
14 document, which reflects the allocation of registration code VA 1-684-912 to the  
15 Subject Design, is attached hereto as Exhibit 5.

16 18. Subsequent to the issuance of the registrations for the Source Artwork, and  
17 the group that included the Subject Design, Plaintiff's investigation into the unlawful  
18 use of its proprietary designs revealed that CHARLOTTE RUSSE was purchasing,  
19 distributing and selling for profit, garments which infringed Plaintiff's rights in the  
20 Source Artwork and Subject Design. A true and correct copy of an exemplar of a  
21 garment sold by CHARLOTTE RUSSE in violation of Plaintiff's rights in the  
22 Source Artwork and Subject Design is attached hereto as Exhibit 6.

23 19. Subsequent to the issuance of the registrations for the Source Artwork, and  
24 the group that included the Subject Design, Plaintiff's investigation into the unlawful  
25 use of its proprietary designs revealed that MACYS was purchasing, distributing and  
26 selling for profit, garments which infringed Plaintiff's rights in the Source Artwork  
27 and the Subject Design. A true and correct copy of an exemplar of a garment sold by  
28



1 MACYS in violation of Plaintiff's rights in the Source Artwork and the Subject  
2 Design is attached hereto as Exhibit 7.

3 20.Plaintiff's investigation further revealed that the garments referenced herein  
4 were supplied to CHARLOTTE RUSSE by COMO, a clothing vendor and importer  
5 who produced the goods under the "Charlotte Russe" label at CHARLOTTE  
6 RUSSE's instruction and direction and distributed them to CHARLOTTE RUSSE  
7 for sale. COMO received the fabric used to manufacture these garments from  
8 PRINTEX. These transactions were not authorized by Plaintiff, and violated  
9 Plaintiff's rights in the Source Artwork and Subject Design.

10 21.Plaintiff's investigation further revealed that the garments found at MACYS  
11 and referenced herein were supplied to MACYS by ARB, a clothing vendor. ARB  
12 received the fabric used to manufacture these garments from LUCKY KIM. These  
13 transactions were not authorized by Plaintiff, and violated Plaintiff's rights in the  
14 Source Artwork and the Subject Design.

15 22.Plaintiff served cease and desist demands on Defendants, and each,  
16 mandating that they cease their respective infringements of Plaintiff's intellectual  
17 property rights, and provide an accounting of their respective acts of infringement.  
18 Defendants refused to comply, and made additional sales of the product bearing the  
19 design alleged to be infringed in the demands. In fact, Plaintiff is informed and  
20 believes and thereon alleges that ARB and MACYS had manufactured, and then  
21 distributed and sold a second style of garment bearing a design that infringes  
22 Plaintiff's rights in the Source Artwork and the Subject Design. A true and correct  
23 copy of an image of this garment is attached as Exhibit 8.

24 23.Prior to the alleged infringement, Plaintiff had, using the Source Artwork,  
25 formatted the Subject Design for use on textiles, sampled the Subject Design to  
26 prospective customers and negotiated sales of fabric bearing the Subject Design.  
27  
28

1           24.Plaintiff is informed and believes and thereon alleges that, without  
2 Plaintiff's authorization, Defendants, and each of them, purchased, sold,  
3 manufactured, caused to be manufactured, imported and/or distributed fabric and/or  
4 garments comprised of fabric featuring a design which is identical to, or substantially  
5 similar to, the Subject Design. Plaintiff is informed and believes that this conduct  
6 continued to occur subsequent to Defendants, and each of their, receipt of the  
7 aforementioned cease and desist demands.

8           25. The garments, as which garments were manufactured under the direction of  
9 the Defendants, and each of them. Plaintiff is informed and believes and thereon  
10 alleges that one or more of the named Defendants owns and/or otherwise controls  
11 these labels and caused garments under those labels to be manufactured.

12           26.Plaintiff is informed and believes and thereon alleges that, without  
13 Plaintiff's authorization, Defendants, and each of them, purchased, sold,  
14 manufactured, caused to be manufactured, imported and/or distributed fabric and/or  
15 garments comprised of fabric featuring a design which is identical, or substantially  
16 similar to, either of the Subject Design. (hereinafter "Infringing Garments").

17                           **FIRST CLAIM FOR RELIEF**

18                           (For Copyright Infringement - Against All Defendants, and Each)

19           27.Plaintiff repeats, realleges and incorporates herein by reference as though  
20 fully set forth the allegations contained in the preceding paragraphs, inclusive, of this  
21 Complaint.

22           28.Plaintiff is informed and believes and thereon alleges that Defendants, and  
23 each of them, had access to the Subject Design, including, without limitation,  
24 through (a) access to Plaintiff's showroom and/or design library; (b) access to  
25 illegally distributed copies of the Subject Design by third-party vendors and/or DOE  
26 Defendants, including without limitation international and/or overseas converters  
27 and printing mills; (c) access to garments sold at retail or wholesale stores which are  
28

1 comprised of authentic Plaintiff fabric; and (d) access to Plaintiff's fabric swatches,  
2 strike-offs and samples.

3 29. Plaintiff is informed and believes and thereon alleges that one or more of  
4 the Defendants manufactures garments and/or is a garment vendor. Plaintiff is  
5 further informed and believes and thereon alleges that said Defendant(s) has an  
6 ongoing business relationship with Defendant retailers, and each of them, and  
7 supplied garments to said retailers, which garments infringed the Subject Design in  
8 that said garments were composed of fabric which featured an unauthorized print  
9 design that was identical or substantially similar to the Subject Design.

10 30. Plaintiff is informed and believes and thereon alleges that Defendants, and  
11 each of them, infringed the rights granted by Plaintiff's three (3) copyright  
12 registrations by creating, making and/or developing directly infringing and/or  
13 derivative works from the Source Artwork and/or Subject Design and by producing,  
14 distributing and/or selling infringing fabric and/or garments through a nationwide  
15 network of retail stores and through on-line websites.

16 31. Due to Defendants' acts of infringement, Plaintiff has suffered substantial  
17 damages to its business in an amount to be established at trial.

18 32. Due to Defendants' acts of infringement, Plaintiff has suffered general and  
19 special damages in an amount to be established at trial.

20 33. Due to Defendants' acts of copyright infringement as alleged herein,  
21 Defendants, and each of them, have obtained direct and indirect profits they would  
22 not otherwise have realized but for their infringement of the Source Artwork and  
23 Subject Design. As such, Plaintiff is entitled to disgorgement of Defendant's profits  
24 directly and indirectly attributable to Defendant's infringement of the Source  
25 Artwork and Subject Design in an amount to be established at trial.

26 34. Plaintiff is informed and believes and thereon alleges that Defendants, and  
27 each of them, have continued to import, manufacture, cause to be manufactured  
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1 and/or sell infringing garments after Plaintiff demanded that they cease and desist  
2 from engaging in same. Therefore, Defendants' acts of copyright infringement as  
3 alleged above were, and continue to be, willful, intentional and malicious, subjecting  
4 Defendants, and each of them, to liability for statutory damages under Section  
5 504(c)(2) of the Copyright Act in the sum of up to one hundred fifty thousand dollars  
6 (\$150,000) per infringement. Further, Defendants', and each of their, willful and  
7 intentional misappropriation and/or infringement of Plaintiff's copyrighted Source  
8 Artwork and Subject Design renders Defendants, and each of them, liable for  
9 enhanced and statutory damages as described herein. Within the time permitted by  
10 law, Plaintiff will make its election between actual damages and statutory damages.  
11

## 12 **SECOND CLAIM FOR RELIEF**

13 (For Vicarious and/or Contributory Copyright Infringement - Against All  
14 Defendants, and Each)

15 35.Plaintiff repeats, realleges and incorporates herein by reference as though  
16 fully set forth the allegations contained in the preceding paragraphs, inclusive, of this  
17 Complaint.

18 36.Plaintiff is informed and believes and thereon alleges that Defendants  
19 knowingly induced, participated in, aided and abetted in and profited from the illegal  
20 reproduction and/or subsequent sales of garments featuring an illegal knock-off of  
21 the Source Artwork and/or Subject Design as alleged hereinabove.

22 37.Plaintiff is informed and believes and thereon alleges that Defendants, and  
23 each of them, are vicariously liable for the infringement alleged herein because they  
24 had the right and ability to supervise the infringing conduct and because they had a  
25 direct financial interest in the infringing conduct.

26 38.By reason of the Defendants', and each of their, acts of contributory  
27 infringement as alleged above, Plaintiff has suffered and will continue to suffer  
28

1 substantial damages to its business in an amount to be established at trial, as well as  
2 additional general and special damages in an amount to be established at trial.

3 39. Due to Defendants' acts of copyright infringement as alleged herein,  
4 Defendants, and each of them, have obtained direct and indirect profits they would  
5 not otherwise have realized but for their infringement of the Source Artwork and  
6 Subject Design. As such, Plaintiff is entitled to disgorgement of Defendants' profits  
7 directly and indirectly attributable to Defendants' infringement of the Source  
8 Artwork and Subject Design, in an amount to be established at trial.

9 40. Plaintiff is informed and believes and thereon alleges that Defendants, and  
10 each of them, have continued to manufacture and/or sell Infringing Garments after  
11 Plaintiff demanded that they cease and desist from engaging in same. Therefore,  
12 Defendants' acts of copyright infringement as alleged above were, and continue to  
13 be, willful, intentional and malicious, subjecting Defendants, and each of them, to  
14 liability therefore, including statutory damages under Section 504(c)(2) of the  
15 Copyright Act in the sum of one hundred fifty thousand dollars (\$150,000) per  
16 infringement. Further, Defendants', and each of their, willful and intentional  
17 misappropriation and/or infringement of Plaintiff's copyrighted Source Artwork and  
18 Subject Design renders Defendants, and each of them, liable for statutory damages  
19 as described herein. Within the time permitted by law, Plaintiff will make its election  
20 between actual damages and statutory damages.

### 21 **THIRD CLAIM FOR RELIEF**

22 (For Breach of Contract - Against COMO)

23 41. Plaintiff repeats, realleges and incorporates herein by reference as though  
24 fully set forth the allegations contained in the preceding paragraphs, inclusive, of this  
25 Complaint.

42. Defendant COMO entered into a written settlement agreement ("Agreement") with Plaintiff in regard to a settlement of the claims, as they relate to COMO, set forth in this action.

43. Plaintiff performed all duties as required by the Agreement; however, COMO has failed to comply with the Agreement by not making to Plaintiff certain payments called for by the Agreement. These payments have not been made despite demand for same by Plaintiff. This failure is a material breach of the Agreement, and has caused damage to Plaintiff.

44. The above breach by COMO was intentional, knowing and malicious, and has caused Plaintiff general and special damages in an amount to be proven at trial.

### **PRAYER FOR RELIEF**

Wherefore, Plaintiff prays for judgment as follows:

#### **Against All Defendants**

##### **1. With Respect to Each Claim for Relief**

- a. That Defendants, their agents and servants be enjoined from selling product, or otherwise engaging in acts, infringing Plaintiff's copyrights in the Subject Design and/or Source Artwork;
- b. That Plaintiff be awarded all profits of Defendants plus all losses of Plaintiff, the exact sum to be proven at the time of trial, or, if elected before final judgment, statutory damages as available under the Copyright Act, 17 U.S.C. § 101 et seq.;
- c. That Plaintiff be awarded its attorneys' fees as available under the Copyright Act, 17 U.S.C. § 101 et seq.;
- d. That Defendants, and each of them, account to Plaintiff for their profits and any damages sustained by Plaintiff arising from the foregoing acts of infringement;
- e. That Plaintiff be awarded pre-judgment interest as allowed by law;

1 f. That Plaintiff be awarded the costs of this action; and

2 g. That Plaintiff be awarded such further legal and equitable relief as the  
3 Court deems proper.

4 Plaintiff demands a jury trial pursuant to Fed. R. Civ. P. 38 and the 7<sup>th</sup>  
5 Amendment to the United States Constitution.

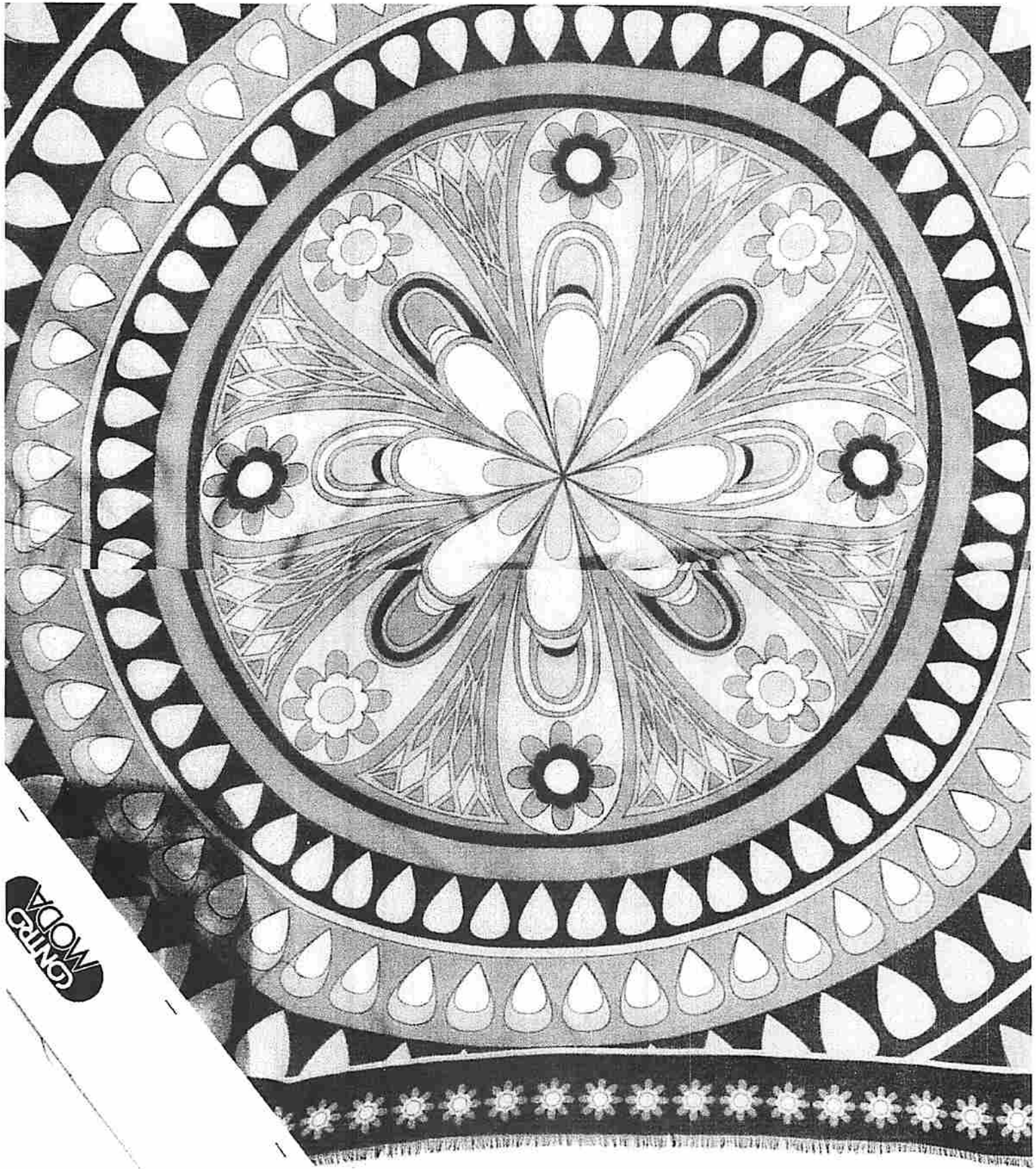
6 Dated: March 31, 2010

DONIGER / BURROUGHS

7  
8 By: /S/ Scott A. Burroughs  
9 Scott A. Burroughs, Esq.  
10 Attorneys for Plaintiff  
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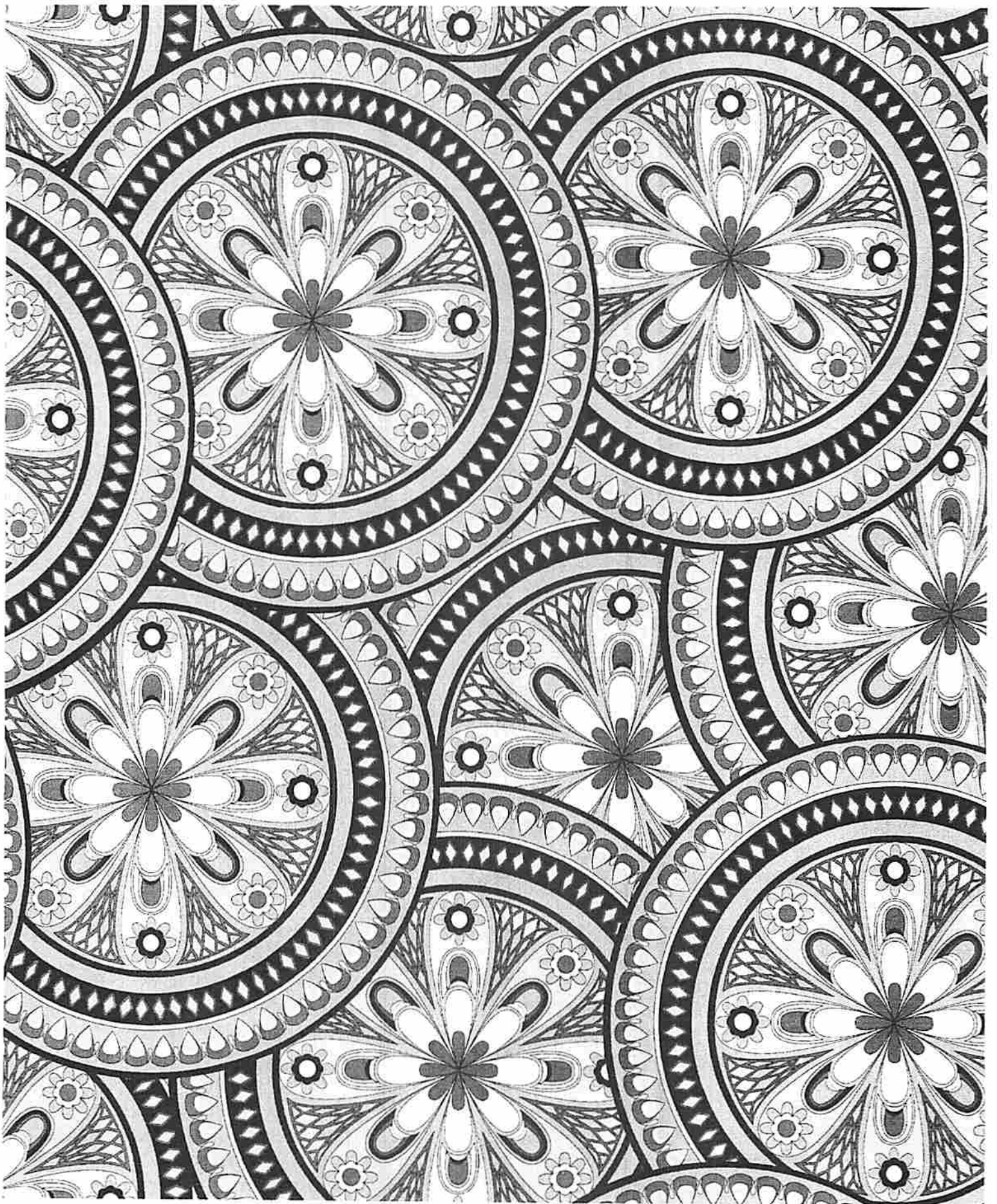
# EXHIBIT 1





# EXHIBIT 2







# EXHIBIT 3

## Certificate of Registration

JUL 17 2006



Form VA

Form - Work of the Visual Arts

VAU700-341



EFFECTIVE DATE OF REGISTRATION

APR 04 2006

Month Day Year



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

## RATE CONTINUATION SHEET.

1	Title of This Work ▼	NATURE OF THIS WORK ▼ See instructions
	2006 GEO-FLORAL COLLECTION I	FABRIC DESIGN
	Previous or Alternative Titles ▼ CEA0500837, CL00500304, CL00600242, CL00600250	
Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼		

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2	NAME OF AUTHOR ▼	DATES OF BIRTH AND DEATH	
	a CONTROMODA	Year Born ▼	Year Died ▼
	Was this contribution to the work a "work made for hire"? <input type="checkbox"/> Yes <input type="checkbox"/> No	Author's Nationality or Domicile Name of Country OR { Citizen of _____ Domiciled in ITALY	
	Was This Author's Contribution to the Work Anonymous? <input type="checkbox"/> Yes <input type="checkbox"/> No Pseudonymous? <input type="checkbox"/> Yes <input type="checkbox"/> No If the answer to either of these questions is "Yes," see detailed instructions.		
NOTE	Nature of Authorship Check appropriate box(es). See instructions		
	<input type="checkbox"/> 3-Dimensional sculpture <input checked="" type="checkbox"/> 2-Dimensional artwork <input type="checkbox"/> Reproduction of work of art		
	<input type="checkbox"/> Map <input type="checkbox"/> Photograph <input type="checkbox"/> Jewelry design		
	<input type="checkbox"/> Technical drawing <input type="checkbox"/> Text <input type="checkbox"/> Architectural work		
b	NAME OF AUTHOR ▼	DATES OF BIRTH AND DEATH	
		Year Born ▼	Year Died ▼
	Was this contribution to the work a "work made for hire"? <input type="checkbox"/> Yes <input type="checkbox"/> No	Author's Nationality or Domicile Name of Country OR { Citizen of _____ Domiciled in _____	
	Was This Author's Contribution to the Work Anonymous? <input type="checkbox"/> Yes <input type="checkbox"/> No Pseudonymous? <input type="checkbox"/> Yes <input type="checkbox"/> No If the answer to either of these questions is "Yes," see detailed instructions.		
	Nature of Authorship Check appropriate box(es). See instructions		
	<input type="checkbox"/> 3-Dimensional sculpture <input type="checkbox"/> 2-Dimensional artwork <input type="checkbox"/> Reproduction of work of art		
	<input type="checkbox"/> Map <input type="checkbox"/> Photograph <input type="checkbox"/> Jewelry design		
	<input type="checkbox"/> Technical drawing <input type="checkbox"/> Text <input type="checkbox"/> Architectural work		

3	a Year in Which Creation of This Work Was Completed 2006	b Date and Nation of First Publication of This Particular Work Month _____ Day _____ Year _____ NATION _____
	This information must be given ONLY if this work has been published.	
4	COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼	
	UNITED FABRICS INTERNATIONAL, INC. ATTN: SHAR SIMANTOB 1723 S. CENTRAL AVENUE, LOS ANGELES CA 90021	
Transfer if the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼ ASSIGNMENT OF EXCLUSIVE RIGHTS		

APR 04 2006

APR 04 2006

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ▶

• Complete all applicable spaces (numbers 1-4) on the reverse side of this page.  
• See detailed instructions.  
• Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of \_\_\_\_\_ pages

UF1000041



EXAMINED BY mmh / JDS FORM VA  
 CHECKED BY \_\_\_\_\_

☐ CORRESPONDENCE  
 Yes

FOR  
 COPYRIGHT  
 OFFICE  
 USE  
 ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▾

a. ☐ This is the first published edition of a work previously registered in unpublished form.

b. ☐ This is the first application submitted by this author as copyright claimant.

c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▾

Year of Registration ▾

5

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▾

6

a See instructions  
 before completing  
 this space.

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▾

b

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▾

Account Number ▾

7

a

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▾

b

UNITED FABRICS INTERNATIONAL, INC. ATTN: SHAR SIMANTOB  
 1723 S. CENTRAL AVENUE, LOS ANGELES CA 90021

Area code and daytime telephone number (213) 749-8200

Fax number (213) 749-8300

Email \_\_\_\_\_

**CERTIFICATION\*** I, the undersigned, hereby certify that I am the

check only one ▸

- ☐ author  
☐ other copyright claimant  
☐ owner of exclusive right(s)  
☒ authorized agent of

UNITED FABRICS INT'L, INC.

Name of author or other copyright claimant, or owner of exclusive right(s) &

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▾ If this application gives a date of publication in space 3, do not sign and submit it before that date.

SHAR SIMANTOB

Date MARCH 29, 2006

Handwritten signature (X) ▾

X

8

Certificate  
 will be  
 mailed in  
 window  
 envelope  
 to this  
 address:

Name ▾  
 UNITED FABRICS INTERNATIONAL, INC. ATTN: SHAR SIMANTOB  
 Number/Street/Apt ▾  
 1723 S. CENTRAL AVENUE  
 City/State/ZIP ▾  
 LOS ANGELES CA 90021

- Complete all necessary spaces  
 • Sign your application in space 8

1. Application fees  
 2. Nonrefundable filing fee in check or money  
 order payable to Register of Copyrights  
 3. Deposit material  
 Library of Congress  
 Copyright Office  
 101 Independence Avenue, S.E.  
 Washington, D.C. 20540-6000

Free an address  
 stamp. For general  
 info, visit the  
 Copyright Office  
 website at  
 www.copyright.gov  
 or call  
 (202) 707-6000.

9

\*17 U.S.C. § 504: Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

# EXHIBIT 4

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America



Form VA

For a Work of the Visual Arts  
UNITED STATES COPYRIGHT OFFICE

VAu714-548



EXHIBIT 71 0000

AUG 23 2006

Month Day Year

OCT 23 2006

**DATE CONTINUATION SHEET.**

1

Title of This Work ▼

2006 ETHNIC COLLECTION X

NATURE OF THIS WORK ▼ See instructions

FABRIC DESIGN

Previous or Alternative Titles ▼

L009, E083, E079, 2052, E078, E080, E082, E081, L010, E077

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Page ▼

2

NAME OF AUTHOR ▼

a UFI

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

Author's Nationality or Domicile

Name of Country

OR Citizen of

Domiciled in

UNITED STATES

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☐ No

Pseudonym? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☒ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Name of Author ▼

Dates of Birth and Death

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

Author's Nationality or Domicile

Name of Country

OR Citizen of

Domiciled in

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☐ No

Pseudonym? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

3

Year in Which Creation of This Work Was Completed

2006

This information must be given Year in all cases.

Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published.

Month

Day

Year

Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

UNITED FABRICS INTERNATIONAL, INC. ATTN: SHAR SEMANTOB  
1723 SOUTH CENTRAL AVENUE LOS ANGELES, CA 90021

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED

AUG 23 2006

ONE DEPOSIT RECEIVED

AUG 23 2006

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ▶

• Complete all applicable spaces (numbers 5-8) on the reverse side of this page.  
• See detailed instructions.  
• Sign the form at the bottom.

DO NOT WRITE HERE  
Page 1 of 2 pages

UFI000009



EXAMINED BY <u>DWA/LMB</u>	FORM VA
CHECKED BY	
<input type="checkbox"/> CORRESPONDENCE	FOR
Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.)a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number

Year of Registration

5

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.a. **Promoting Material** Identify any promoting work or works that this work is based on or incorporates.

6

a  
See instructions  
before completing  
this space.b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

b

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name

Account Number

7

a

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIPUNITED FABRICS INTERNATIONAL, INC. ATTN: SHAR SIMANTOB  
1723 SOUTH CENTRAL AVENUE LOS ANGELES, CA 90021

b

Area code and daytime telephone number (213) 7498200

Fax number (213) 7498300

Email

**CERTIFICATION** I, the undersigned, hereby certify that I am the

check only one

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of

UNITED FABRICS INT'L, INC.

Name of author or other copyright claimant, or owner of exclusive right(s)

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

SHAR SIMANTOB

Date AUGUST 15, 2006

Handwritten signature (X)

X

Certificate will be mailed in window envelope to this address:

Name  
UNITED FABRICS INTERNATIONAL, INC. ATTN: SHAR SIMANTOBHandwritten/typed  
1723 SOUTH CENTRAL AVENUECity/State/ZIP  
LOS ANGELES, CA 90021• Complete all necessary spaces.  
• Sign your application in space 8.1. Application fee  
2. Nonreturnable filing fee to check or money order payable to Registrar of Copyrights  
3. Deposit materialLibrary of Congress  
Copyright Office  
101 Independence Avenue, S.E.  
Washington, D.C. 20540-4000

See instructions to filers, for rules, fees, deposits, and other information, on the Copyright Office website, or call (202) 707-6000.

9

17 U.S.C. § 504: Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 402, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Rev. August 2003—50,000 Viso Rev. June 2002 © Printed on recycled paper

U.S. Government Printing Office: 2003-600-000/00,000

UF1000010

# EXHIBIT 5



## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

OCT 22 2009

*Marybeth Peters*

Register of Copyrights, United States of America

Registration Number:  
**VA 1-684-912**

Effective date of  
registration:  
October 12, 2009

### Title

Title of Work: 2006 ETHNIC COLLECTION XI  
Contents Titles: E079-HAILEY

### Completion/ Publication

Year of Completion: 2006  
Date of 1st Publication: September 7, 2006      Nation of 1st Publication: United States

### Author

■ Author: UNITED FABRICS INTERNATIONAL, INC.  
Author Created: 2-D artwork  
Work made for hire: Yes  
Citizen of: United States      Domiciled in: United States

### Copyright claimant

Copyright Claimant: UNITED FABRICS INTERNATIONAL, INC.  
1723 SOUTH CENTRAL AVE., LOS ANGELES, CA, 90021, United States

### Limitation of copyright claim

Material excluded from this claim: 2-D artwork, 2006 GEO-FLORAL COLLECTION I CONTRO MODA  
DESIGN# CL00500304

Previous registration and year: VAu700-341      2006  
New material included in claim: adaptaion of design and additional artistic work

### Rights and Permissions

Organization Name: UNITED FABRICS INTERNATIONAL, INC.  
Name: SHAHARIAR SHAR SIMANTOB  
Email: shar@unitedfabric.com      Telephone: 213-749-8200  
Address: 1723 SOUTH CENTRAL AVE.  
LOS ANGELES, CA 90021 United States

**Certification**

---

**Name:** SHAHARIAR SHAR SIMANTOB

**Date:** October 12, 2009

---

# EXHIBIT 6



# EXHIBIT 7





# EXHIBIT 8





**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Consuelo B. Marshall and the assigned discovery Magistrate Judge is Frederick F. Mumm.

The case number on all documents filed with the Court should read as follows:

**CV10- 2433 CBM (FFM~~x~~)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====:

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Scott A. Burroughs, Esq. (SBN 235718)  
 300 Corporate Pointe, Suite 355  
 Culver City, CA 90230  
 Telephone: 310-590-1820  
 Facsimile: 310-417-3538  
 Email: Scott@donigerLawFirm.com

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

UNITED FABRICS INTERNATIONAL, INC., a  
 California Corporation,

PLAINTIFF(S)

v.

LUCKY KIM INTERNATIONAL, INC., a California  
 Corporation; et al.  
 [See attached "Schedule A"]

DEFENDANT(S).

CASE NUMBER

CV10 2433 CBM(FFM)

**SUMMONS**

TO: THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with this court and serve upon plaintiff's attorney  
 Scott A. Burroughs, Esq. \_\_\_\_\_, whose address is:

300 Corporate Pointe, Suite 355  
 Culver City, CA 90230  
 Telephone: 310-590-1820  
 Facsimile: 310-417-3538  
 Email: Scott@DonigerLawFirm.com

an answer to the ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim  
 which is herewith served upon you within 21 days after service of this Summons upon you, exclusive  
 of the day of service. If you fail to do so, judgement by default will be taken against you for the relief  
 demanded in the complaint.

Clerk, U.S. District Court

**CHRISTOPHER POWERS**

Dated: APR - 2 - 10

By: \_\_\_\_\_  
 Deputy Clerk

(Seal of the Court)

**SEAL**



**SCHEDULE A**

UNITED FABRICS INTERNATIONAL, INC., a California Corporation,

Plaintiff,

vs.

LUCKY KIM INTERNATIONAL, INC., a California Corporation; COME  
COMO CORP., a California Corporation; MACY'S, INC., an Ohio Corporation;  
CHARLOTTE RUSSE, INC., a California Corporation; A.R.B., INC., a New York  
Corporation; ROYAL PRINTEX, INC., a California Corporation; and DOES 1  
through 10,

Defendants.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> <b>UNITED FABRICS INTERNATIONAL, INC.</b>	<b>DEFENDANTS</b> <b>LUCKY KIM INTERNATIONAL, INC.; et al.</b>
<b>(b) County of Residence of First Listed Plaintiff</b> (Except in U.S. Plaintiff Cases): Los Angeles County	<b>County of Residence of First Listed Defendant</b> (In U.S. Plaintiff Cases Only):
<b>(c) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Stephen M. Doniger, Esq. (SBN 179314) Scott A. Burroughs, Esq. (SBN 235718) 300 Corporate Pointe, Suite 355 Culver City, CA 90230 Telephone: (310) 590-1820	<b>Attorneys (If Known)</b>

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%; border: none;">Citizen of This State</td> <td style="width:33%; border: none;">PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1</td> <td style="width:33%; border: none;">Incorporated or Principal Place of Business in this State</td> <td style="width:33%; border: none;">PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4</td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none;"><input type="checkbox"/> 2 <input type="checkbox"/> 2</td> <td style="border: none;">Incorporated and Principal Place of Business in Another State</td> <td style="border: none;"><input type="checkbox"/> 5 <input type="checkbox"/> 5</td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none;"><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td style="border: none;">Foreign Nation</td> <td style="border: none;"><input type="checkbox"/> 6 <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4										
Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5										
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6										

**IV. ORIGIN** (Place an X in one box only.)

☒ 1 Original Proceeding   
 ☐ 2 Removed from State Court   
 ☐ 3 Remanded from Appellate Court   
 ☐ 4 Reinstated or Reopened   
 ☐ 5 Transferred from another district (specify):   
 ☐ 6 Multi-District Litigation   
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes    ☐ No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION** under F.R.C.P. 23: ☐ Yes    ☒ No    **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Copyright Act, 17 U.S.C. § 101, action for infringement of Plaintiff's rights in certain two-dimensional works of art.

**VII. NATURE OF SUIT** (Place an X in one box only.)

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
--	--	--	---	---	--

**VIII(a). IDENTICAL CASES:** Has this action been previously filed and dismissed, remanded or closed? ☐ No    ☒ Yes

If yes, list case number(s): CV-08-1085 JVS (AJWx)

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

CV10 2433

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.**

**VIII(b). RELATED CASES:** Have any cases been previously filed that are related to the present case? ☐ No ☒ Yes

If yes, list case number(s): CV-08-1085 JVS (AJWx)

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☒ A. Arise from the same or closely related transactions, happenings, or events; or  
☒ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☒ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☒ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** List the California County, or State if other than California, in which **EACH** named plaintiff resides (Use an additional sheet if necessary)

☐ Check here if the U.S. government, its agencies or employees is a named plaintiff.  
**UNITED FABRICS INTERNATIONAL, INC. - Los Angeles County**

List the California County, or State if other than California, in which **EACH** named defendant resides. (Use an additional sheet if necessary).

- ☐ Check here if the U.S. government, its agencies or employees is a named defendant.  
**LUCKY KIM INTERNATIONAL, INC., Los Angeles; COME COMO CORP., a Los Angeles; MACY'S, INC.; CHARLOTTE RUSSE, INC., San Diego; A.R.B., INC., New York; ROYAL PRINTEX, INC., Los Angeles.**

List the California County, or State if other than California, in which **EACH** claim arose. (Use an additional sheet if necessary)

Note: In land condemnation cases, use the location of the tract of land involved.  
**Los Angeles County**

**X. SIGNATURE OF ATTORNEY (OR PRO PER):** \_\_\_\_\_

Date 3/31/10

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))